

**STATE OF SOUTH CAROLINA**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**DOCKET NO. 2020-2-E**

In re: Annual Review of Base Rates  
for Fuel Costs for Dominion Energy  
South Carolina, Incorporated

---

**MOTION FOR ADMISSION  
PRO HAC VICE**

Intervenors, Southern Alliance for Clean Energy (“SACE”) and South Carolina Coastal Conservation League (“SCCCL”), hereby move the Public Service Commission of South Carolina, (“Commission”), to permit Kurt Ebersbach, Esquire to practice *Pro Hac Vice* before this Commission in the above-captioned proceeding.

Pursuant to Rule 404, of the South Carolina Appellate Court Rules (“SCACR”), Mr. Ebersbach, with the consent of counsel of record, is simultaneously filing with the South Carolina Supreme Court, a Verified application for Admission Pro Hac Vice in the State of South Carolina, (Attached here to as, Exhibit ”A”).

WHEREFORE, in accordance with the provisions set forth in Rule 404, SACE and SCCCL respectfully request that the Motion be granted.

This 5<sup>th</sup> day of February, 2020,

Respectfully Submitted,

/s/ J. Blanding Holman  
James Blanding Holman IV  
Southern Environmental Law Center  
525 East Bay Street, Suite 14  
Charleston, SC 29403  
Telephone: (843) 720-5270  
Fax: (843) 414-7039  
E-mail: bholman@selcsc.org

## **Exhibit A**

# VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE* IN THE STATE OF SOUTH CAROLINA

In the Matter of:

Docket No. 2020-2-E

Public Service Commission of  
South CarolinaAnnual Review of Base Rates for  
Fuel Costs for Dominion Energy  
South Carolina, Inc.

Plaintiff	Case No.	Tribunal
vs.		
	Mailing Address of Tribunal:	101 Executive Center Drive, Suite 100 Columbia, SC 29210
Defendant		

Comes now Kurt David Ebersbach, applicant herein, and respectfully represents the following:

1. Applicant resides at:  
2207 W. Ponce De Leon Ave

Street Address			
<u>Decatur</u>	<u>Dekalb</u>	<u>Georgia</u>	<u>30030</u>
City	County	State	Zip Code
<u>404-665-7498</u>			
Telephone			

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)  
Southern Environmental Law Center, with offices at  
Ten 10<sup>th</sup> Street, Suite 1050

Street Address			
<u>Atlanta</u>	<u>Fulton</u>	<u>GA</u>	<u>30309</u>
City	County	State	Zip Code
<u>404-521-9900</u>	<u>404-665-7498</u>	<u>404-521-9909</u>	<u>kebersbach@selcga.org</u>
Primary Telephone	Cell Phone	Fax Number	Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by  
The South Carolina Coastal Conservation League and Southern Alliance  
for Clean Energy to provide legal representation in  
connection with the above case now pending before the above-named tribunal of the State of South Carolina.

4. Since September of 1997, applicant has been, and presently is, a  
member in good standing of the bar of the highest court of the District of Columbia or the State of  
Georgia where applicant regularly practices law. Attached is a certificate of good  
standing dated within the last 90 days from the bar of the highest court of the District of Columbia or the State  
where applicant regularly practices law.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:
Georgia Supreme Court	June 24, 1998
Georgia Court of Appeals	June 24, 1998
United States District Court for the Northern District of Georgia	March 20, 1998
United States District Court for the Middle District of Georgia	February 14, 2003

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

N/A

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court date):

N/A

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

N/A

8. Applicant never has had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked, except as provided below (give particulars, e.g., date, court, administrative body, date of suspension and reinstatement):

N/A

9. Local counsel of record associated with applicant in this case is J. Blanding Holman IV  
of the Southern Environmental Law Center law firm, which has offices at:

<u>463 King Street, Suite B</u>			
Street Address			
<u>Charleston</u>	<u>Charleston</u>	<u>SC</u>	<u>29403-7204</u>
City	County	State	Zip Code
<u>843-720-5270</u>		<u>843-414-7039</u>	<u>bholman@selcsc.org</u>
Primary Telephone	Cell Phone	Fax Number	Email Address
<u>72260</u>			
South Carolina Bar Number			

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

N/A

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above-named tribunal for this case only.

DATED this 7<sup>th</sup> day of January, 20 20

  
APPLICANT

**VERIFICATION**STATE OF Georgia )COUNTY OF Fulton )

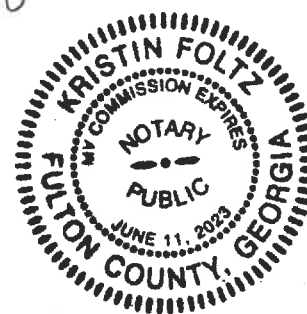
I, Kurt D. Ebersbach, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission pro hac vice. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear pro hac vice in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.

Kyrell  
APPLICANT/AFFIANT

Subscribed and sworn to before me this 1<sup>th</sup> day of January, 20 20

Kristin Foltz  
Notary Public for the State of Georgia

My Commission Expires: June 11, 2023

**LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 9<sup>th</sup> day of January, 20 20

Jan Chelzy  
LOCAL COUNSEL OF RECORD

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this

8<sup>th</sup> day of January, 20 20

Kyrell  
APPLICANT/AFFIANT



Supreme Court  
State of Georgia

NATHAN DEAL JUDICIAL CENTER

Atlanta 30334

January 3, 2020

I hereby certify that Kurt David Ebersbach, Esq., was admitted on the 24<sup>th</sup> day of June, 1998, as a member of the bar of the Supreme Court of Georgia, the highest court of this State; and, since that date he has been and is now a member of this bar in good standing, as appears from the records and files in this office.

Witness my signature and the seal of this Court  
hereto affixed the day and year first above written.



*Theresa S. Banne*, Clerk



CERTIFICATE OF SERVICE

I hereby certify that the parties listed below have been served via electronic mail and/or first class mail with a copy of the *Motion for Admission Pro Hac Vice* of the South Carolina Coastal Conservation League and Southern Alliance for Clean Energy.

Alexander G. Shissias, Counsel  
The Shissias Law Firm, LLC  
1727 Hampton Street  
Columbia, SC 29201  
alex@shissiaslawfirm.com

Becky Dover, Counsel  
SC Department of Consumer Affairs,  
bdover@scconsumer.gov

Carri Grube Lybarker, Counsel  
SC Department of Consumer Affairs  
clybarker@scconsumer.gov

Damon E. Xenopoulos, Counsel  
Stone Mattheis Xenopoulos & Brew, PC  
1025 Thomas Jefferson Street, N.W.  
Eighth Floor, West Tower  
Washington, DC 20007 DEX@smxblaw.com

Jeffrey M. Nelson, Counsel  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201  
jnelson@ors.sc.gov

Jenny R. Pittman, Counsel  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201  
jpittman@ors.sc.gov

K. Chad Burgess, Director & Deputy  
General Counsel  
Dominion Energy South Carolina, Inc.  
220 Operation Way - MC C222  
Cayce, SC 29033-3701  
Kenneth.burgess@dominionenergy.com

Matthew W. Gissendanner, Senior Counsel  
Dominion Energy South Carolina, Inc.  
220 Operation Way - MC C222  
Cayce, SC 29033-3701  
matthew.gissendanner@dominionenergy.com

Richard L. Whitt, Esquire  
Whitt Law Firm, LLC  
Austin Lewis & Rogers, P.A.  
Post Office Box 362  
Irmo, SC 29063  
richard@rlwhitt.law

Scott Elliott, Counsel  
Elliott & Elliott, PA  
1508 Lady Street  
Columbia, SC 29201  
sellott@elliottlaw.us

This 5<sup>th</sup> day of February, 2020

/s/ Emily Selden  
Emily Selden